

## REMARKS/ARGUMENTS

The application has been amended to correct the cited informalities, to distinguish the invention over the cited prior art, and to place the application, as a whole, into a *prima facie* condition for allowance. Care has been taken to avoid the introduction of any new subject matter into the application as a result of the foregoing amendments.

Claims 1 - 18 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner has stated that: 1) claim 1 recites the limitation "said threaded mounting aperture" in line 24, for which insufficient antecedent basis purportedly exists; 2) claim 9 recites the limitation "said double sided adhesive" in lines 1 - 2, for which insufficient antecedent basis purportedly exists; and 3) claim 11 recites the limitation "said threaded mounting aperture" in lines 34 and 39, for which insufficient antecedent basis purportedly exists.

In complete response thereto, Applicant has: 1) deleted the objected-to phrase in claim 1, and inserted the phrase into the threaded mounting aperture of the article being monitored, making reference back to the preamble of the claim; 2) amended claim 9 to depend from claim 8, wherein antecedent basis for "said double-sided adhesive" is given; and 3) deleted the objected-to phrase in claim 11, and inserted the phrase into the threaded mounting aperture of the article being monitored, making reference back to the preamble of the claim. Applicant respectfully submits that the foregoing amendments overcome the Examiner's bases for rejection of the claims under 35 U.S.C. 112, second paragraph. Reconsideration and withdrawal of the rejection of claims 1 - 18 based on 35 U.S.C. 112, second paragraph, are respectfully solicited.

Claims 1 - 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson, U.S. 6,123,306, in view of Burriess, U.S. 4,615,597, and in further in view of Goodman, U.S. 5,241,297.

The Jackson reference is directed to a camera mount for a wheelchair. There is no teaching or suggestion for providing a sensor, as this device is unlikely to be used in a situation where the camera is going to be left unattended. The padlock E does

nothing to teach security of attaching an article to a mounting plate, because the camera may be removed from the admittedly conventional tripod head through the usual means of unscrewing the screw, completely bypassing the padlock. All the padlock does is affix the hinged arm to the camera stand. There is nothing in Jackson that shows or suggests the provision of a security monitoring sensor at the tripod head, where the article (a camera) is attached.

The Burriss reference is directed to a camera mount for vehicles. There is no need for a sensor, because a camera mounted to a car is highly unlikely ever to be left in a position that it would be unattended, so as to require a security sensor. Furthermore, all of the areas on the plate are for the variable affixation of the camera, so as to suit the needs of varying installation configurations, and so a sensor, positioned in the manner suggested by the examiner, would get in the way of this highly variable configuration capability.

The Goodman reference is directed to a security base for articles such as works of art, such as a vase, or jewelry or the like, where the article is on static display and not in use. The security base is configured simply to have the article placed on top of, or leaning against (in the case of a painting) the base and not affixed to the base. This reference teaches against the affixation of the article to the base, because that would be potentially damaging to an article such as a vase, or other work of art, or jewelry. Indeed, the base is contemplated as not being able to be picked up, because tipping of the article/base could cause separation of the articles, thus causing actuation of the alarm. Indeed, an alternative embodiment includes a separate tilt sensor which likewise precludes contemplation of lifting.

Applicant respectfully traverses the Examiner's purported combination of references, and respectfully submits that the proposed combination of the Jackson and Burriss references with the Goodman is inappropriate, and against the teachings of the respective references.

Two or more references may not be combined to support an assertion of obviousness of a claimed invention absent a teaching or suggestion to their combination. Further, two or more references may not be properly combined, if to do

so would frustrate the functions, goals or purposes of one or more of the respective references.

Applicant respectfully submits the proposed combination of the Jackson and Burriess references with the Goodman reference has been posed notwithstanding the complete absence of any teaching or suggestion in any of the references to such combination. Combining the cited references in an attempt to reconstruct Applicant's invention, with the benefit of the hindsight afforded by Applicant's own disclosure, would deviate from the teachings of the cited references.

Neither the Jackson nor the Burriess reference is directed to an apparatus for the monitoring of an article that is on display. Both of these references are mounting structures for supporting, specifically, a camera while the camera is actively in use. There is no teaching or suggestion in either reference for affixing a monitoring device for providing an indication that the article has been removed, or that an attempt has been made to remove it. The apparatus of the Goodman reference, while directed to a monitoring device, likewise not only does not teach the affixation of a monitoring device to the article, it affirmatively teaches against it. As mentioned above, because the articles which the Goodman apparatus monitors are works of art or fine articles for sale (e.g., jewelry and the like), positive attachment of the sensor to the articles themselves is prohibited. As such there is no teaching in Goodman for any kind of positive mounting structure to attach a sensor to an article. Therefore, not only is there no teaching for the combination of the Jackson and Burriess references with the Goodman reference, there is no teaching or suggestion in any of the references to the affirmative attachment of a sensor to an article being monitored -- even with the combination.

Notwithstanding the foregoing traversal of the Examiner's combination of references, even if the references were to be combined, the resulting combination would not teach or suggest Applicant's invention of amended claims 1 and 11.

Applicant's invention of amended claims 1 and 11, each includes the limitations of a mounting member, which is sized relative to the article being monitored and unattached to other supporting structures, so as to be operably configured -- to facilitate the manual handling, inspection and demonstration of the article. In addition,

the sensor region includes an isolated aperture, displaced and segregated from said plurality of apertures, for enabling passage therethrough of a switch member.

Applicant respectfully submits that none of the Jackson, Burriess, or Goodman references teaches or suggests a universal mount assembly incorporating such a structure.

In Jackson, the camera mount is a large plate which is substantially larger than the base of the camera to which it is attached, which is in turn mounted on a large support structure for mounting onto a car. The plate includes an array of uniformly distributed apertures, for receiving the bolts for holding down the camera.

In Burriess, the camera is mounted on a tripod head that is attached to an extending mounting structure for mounting the camera to a wheelchair. Even the removable portion is an elongated angled arm not suitable for enabling handling and demonstration of the camera, if that were even contemplated in the Burriess reference. Further there are no apertures for the accommodation of a switch member.

In Goodman, as discussed hereinabove, there is simply no mounting member structure at all, as understood in the context of the present invention.

In view of the foregoing, Applicant submits that Applicant's invention of amended claims 1 and 11, should be deemed to patentably distinguish over the cited Jackson, Burriess, and Goodman references, whether taken alone or in combination with one another, as well as over the remaining cited prior art of record. Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 11 and allowance thereof, are respectfully solicited.

Inasmuch as dependent claims 2 - 10 and 12 - 18 merely serve to further define the subject matter of amended claims 1 and 11, respectively, which themselves should be deemed allowable, claims 2 - 10 and 12 - 18 likewise should be deemed to patentably distinguish over the cited prior art of record. Reconsideration and withdrawal of the rejections of claims 2 - 10, and allowance thereof are respectfully solicited.

Applicant submits for the Examiner's consideration new claims 19 and 20. Inasmuch as new claims 19 and 20 merely serve to further define over the subject matter of independent claims 1 and 11, respectively, claims 19 and 20 should likewise

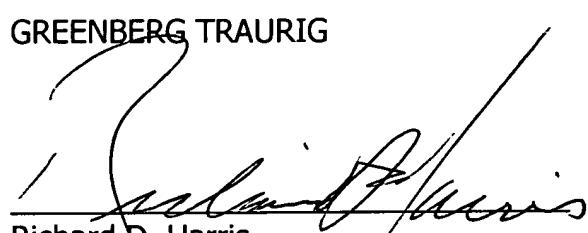
be deemed allowable. Consideration and allowance of claims 19 and 20 are respectfully solicited.

Applicant submits that the application as a whole, including all of claims 1 - 20, is in a *prima facie* condition for allowance at this time, and such allowance is respectfully solicited.

Should anything further be required, a telephone call to the undersigned at (312) 456-8400 is respectfully requested.

Respectfully submitted,

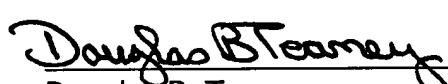
GREENBERG TRAURIG

  
Richard D. Harris  
One of Attorneys for Applicant

Dated: September 15, 2003

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 15, 2003.

  
Douglas B. Teaney